CONSENT AGENDA

AGENDA ITEM 12.10
TO: Mayor and City Council  
FROM: Robert Murdoch, Director  
Public Works Department  
SUBJECT: ACCEPT RELINQUISHMENT OF A PORTION OF HAMMER LANE FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION  

RECOMMENDATION  
It is recommended that the City Council adopt a resolution accepting the relinquishment of a portion of the State's right-of-way along the north side of Hammer Lane from the California Department of Transportation (Caltrans), and waiving the ninety-day notice of "Intention to Relinquish" required in Section 73 of the California Streets and Highways Code. It is further recommended that the resolution authorize the City Manager to take appropriate actions to carry out the purpose and intent of this resolution.

Summary  
The Route 99/Hammer Lane Interchange Reconstruction Project (Project) is going through project close-out. Caltrans acquired right-of-way for the project, which realigned and widened streets and constructed new street alignments through city and county areas. Caltrans has identified the portions of the right-of-way and streets that are no longer needed as right-of-way for the Project and, as State law requires, is relinquishing those portions of land and streets to the local agencies.

This resolution will accept the relinquishment of approximately 0.036 acres of Hammer Lane shown as Segment 3 on Caltrans’ relinquishment map (Exhibit 1 of the Resolution). In addition, Public Works recommends that this resolution waive the City's right to a ninety-day notice of "Intention to Relinquish" required in Section 73 of the California Streets and Highways Code.

There is no financial impact or action required to accept the relinquishment from Caltrans.

DISCUSSION  
Background  
Since the early 1990’s, Caltrans, San Joaquin Council of Governments (SJCOC), the City, and San Joaquin County have been working in partnership to deliver the Project.

In the late 1990’s, San Joaquin County and SJCOC worked cooperatively to complete the necessary environmental and design documents for the Project. Then, SJCOC and
ACCEPT RELINQUISHMENT OF A PORTION OF HAMMER LANE FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

Caltrans took the lead in the right-of-way acquisition and utility relocation phases. Finally, the City took the lead role in administering the construction phase of the Project.

In August 2008, construction for the Project was substantially complete. The only work remaining was completion of the punch list, a three-year plant establishment period, and Project close-out. Plant establishment was completed on September 9, 2011. Project close-out (contract acceptance, as-built plans, excess property relinquishment, and final invoice) is underway and expected to be completed in the near future.

Section 73 of the California Streets and Highways Code specifies that any “highway” or portions thereof that are no longer needed in conjunction with the freeway shall be relinquished to the city or county in which the roadway exists. Segment 3 on the attached Caltrans relinquishment map was constructed as part of the Project and must be relinquished to the City. Caltrans will initiate a similar relinquishment with San Joaquin County for Segments 1, 2, 4, and 5.

Present Situation

City staff has inspected the approximately 0.036 acre portion of Hammer Lane to be relinquished and has found it to be in a “state of good repair.” It is recommended that Council adopt a resolution accepting from Caltrans the control and maintenance of Segment 3 as shown on the Caltrans relinquishment map (Exhibit 1 of the Resolution).

Furthermore, Public Works recommends that this resolution waive the City’s right to a ninety-day notice of “Intention to Relinquish” required in Section 73 of the California Streets and Highways Code.

FINANCIAL SUMMARY

There is no financial impact of accepting this relinquishment from Caltrans. No financial action is required.

Respectfully submitted,

ROBERT MURDOCH, DIRECTOR
PUBLIC WORKS DEPARTMENT

APPROVED

MICHAEL E. LOCKE
DEPUTY CITY MANAGER
Resolution No. ________

STOCKTON CITY COUNCIL


BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City of Stockton consents to accept from the California Department of Transportation (Caltrans) the control and maintenance over a portion of the State’s right-of-way along the north side of Hammer Lane shown as Segment 3 on Caltrans’ relinquishment map.

2. A copy of said relinquishment map is attached as Exhibit 1 and is incorporated herein by this reference.

3. Execution of this Resolution constitutes a waiver of a ninety-day notice of “Intention to Relinquish” required in Section 73 of the California Streets and Highways Code of the statutes related to Caltrans for superceded streets.

4. The City Manager is authorized to take appropriate actions to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED __________ October 18, 2011 __________

ATTEST: 

ANN JOHNSTON, Mayor
of the City of Stockton

BONNIE PAIGE, City Clerk
of the City of Stockton

City Atty: Review Date: October 6, 2011

132